



NATURAL RESOURCES DEFENSE COUNCIL

July 22, 2008

By Facsimile

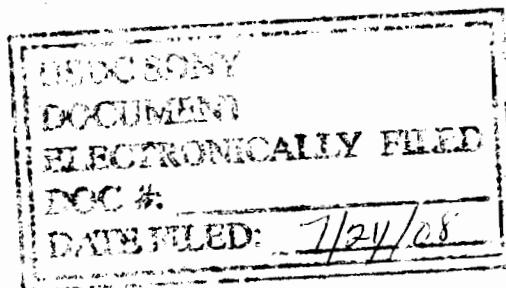
Hon. Barbara S. Jones
United States District Court
Southern District of New York
500 Pearl Street, Room 620
New York, NY 10007

Re: NRDC, *et al.* v. Minerals Management Service, *et al.*, 08-cv-00936-BSJ-GWG

Dear Judge Jones,

On behalf of the Plaintiffs and Defendants in the above-referenced action, I write to request a five-week extension of Plaintiffs' time to file their motion for summary judgment, currently due July 24. Defendants have consented to this request. On June 20, Defendants provided Plaintiffs with a Vaughn index containing 34 entries, along with a letter indicating that all other documents responsive to the FOIA request had been produced on June 11 as part of the Administrative Record in the Administrative Procedure Act ("APA") case, pending in Federal Court in Alaska, involving Plaintiffs, Defendants, and other parties. On July 1, Plaintiffs requested a 3-week extension of their time to file their Summary Judgment motion in order to determine whether the Administrative Record in the APA case contained all the FOIA-responsive documents, which were previously produced to Plaintiffs in partially- or fully-redacted form. That request was granted by the Court.

Plaintiffs identified, and brought to Defendants' attention on July 21, approximately 70 alleged instances of documents, emails, or attachments that appear to have been part of the FOIA-responsive documents produced to Plaintiffs in redacted form, but which Plaintiffs could not locate in the Administrative Record in the APA case or on the Vaughn index. Defendants have agreed to address all the alleged discrepancies by August 20.



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The requested extension would adjust the schedule as follows:

- Plaintiffs' motion for summary judgment due August 28, 2008;
- Defendants' opposition and/or cross-motion due September 11, 2008;
- Plaintiffs' reply and opposition due September 25, 2008;
- Defendants' reply due October 2, 2008.

The parties hope that the resolution of the alleged discrepancies will obviate the need to file motions for summary judgment and permit settlement of the case.

Respectfully submitted,

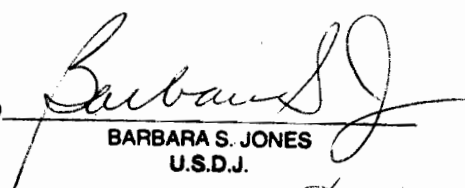


Aaron Bloom
Attorney for Plaintiffs

cc: AUSA Carolina Fornos, Attorney for Defendants (facsimile and email)

Application Granted.

SO ORDERED
Dated:



BARBARA S. JONES
U.S.D.J.

7/23/08